

### **REMARKS**

Claims 1-17 are pending in this application. Claims 1, 3, 5-6, 8, 10, 11, 13 and 15 are independent. New claim 17 is presented for consideration by the Examiner. In light of the amendments and remarks made herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

By this amendment, Applicants have amended the claims to more appropriately recite the present invention. It is respectfully submitted that these amendments are being made without conceding the propriety of the Examiner's rejections, but merely to timely advance prosecution of the present application.

In the outstanding Official Action, the Examiner rejected claims 1-16 as being anticipated by *Kashiwagi* (USP 5,850,206). Applicant respectfully traverses this rejection.

### **Examiner Interview**

Applicant wishes to thank the Examiner for the Interview conducted on June 8, 2007. During the Interview, the Applicant presented arguments that *Kashiwagi* failed to teach or suggest, as recited in claim 1, a content display apparatus displaying a content including a plurality of objects wherein priorities in display are assigned to said plurality of objects, the content display apparatus comprising complexity calculating means for calculating complexity when displaying said content based on said plurality of objects; and control means for suppressing display of part of the objects included in said content based on said calculated complexity, said priorities, and an upper limit of processing capability of the apparatus. The Examiner disagreed with the Applicant and suggested amendments to further clarify the invention of claim 1.

By this amendment, Applicant has amended the claim as suggested by the Examiner.

### **Claim Rejections – 35 U.S.C. §101**

The Examiner rejected claims 6-16 asserting they are directed to non-statutory subject matter. By this amendment, Applicant has amended claims 6-10 to recite a computer-readable medium. Based on these amendments, it is respectfully requested that the outstanding rejection be withdrawn.

The Examiner further rejected claims 11-16 asserting that because they include similar elements recited in the computer program claims, that these claims are also non-statutory. Applicant respectfully disagrees.

Claims 11-16 are clearly directed to a method. Although they may include steps that may be performed in a program, these claims clearly recite a method, which is statutory subject matter. Should the Examiner maintain his rejection of these claims, Applicant respectfully request the Examiner cite proper authority for his assertions that method claims that recite elements similar to elements of non-statutory program claims renders the method claims non-statutory.

Applicant respectfully submits that claims 11-16 are directed to method claims, which are statutory subject matter. It is respectfully requested that the outstanding rejection be withdrawn.

### **Claim Rejections – 35 U.S.C. §102 – Claim 1**

*Kashiwagi* is directed to a system for retrieving and displaying attribute information of an object according to the present invention includes: detecting section for detecting an interaction between a user and the system; importance degree determining section for determining an importance degree of the object based on the interaction detected by the detecting section; object determining section for determining whether the attribute information of the object is to be displayed and an amount of the attribute information of the object which is to be displayed in accordance with the importance degree of the object; display layout generating section for generating a display layout for arranging the attribute information of the object in accordance

with a result of the determination by the object determining section; and display section for displaying the attribute information of the object based on the display layout (Abstract).

At col. 95, lines 18-30, *Kashiwagi* discloses as follows:

If the 2D/3D graphics database 107 has a hierarchical structure, the hierarchical level of the graphics, i.e., resolution, of the graphics is switched in accordance with the distance between the viewpoint and the gazing point.

Step S5: The respective importance degrees of the objects are calculated by the object importance determination section 103 based on the current viewpoint and the gazing point of the user in the graphic model. The main purpose of the importance degree calculation is to increase the importance degree as the object is located closer to the gazing point of the user and also to increase the importance degrees of objects associated with such an object.

As recited above, *Kashiwagi* determines an importance degree of an object based on interaction by the user and displays the information based on the importance degree of the object.

In contrast, claim 1, as amended, recites a content display apparatus displaying a content including a plurality of objects, wherein each of said plurality of objects are one of a character, image and graphic symbol, and wherein a priority in display is assigned to each of said plurality of objects, the content display apparatus comprising complexity calculating means for calculating complexity when displaying said content based on said plurality of objects; and control means for suppressing display of part of the objects included in said content based on said calculated complexity, said priorities, and an upper limit of processing capability of the apparatus.

Applicant respectfully submits that *Kashiwagi* fails to teach or suggest complexity calculating means for calculating complexity when displaying said content based on said plurality of objects. Further, Applicant respectfully submits that *Kashiwagi* fails to teach or suggest control means for suppressing display of part of the objects included in said content based on said calculated complexity, said priorities, and an upper limit of processing capability of the apparatus.

The Examiner relies on determining the importance degree of an object to disclose calculating complexity. The Examiner further relies on col. 5, lines 50-60 to disclose suppressing display of part of the objects. Assuming, *arguendo*, the Examiner's assertions were correct, the suppression disclosed in col. 5 does not take place based on the calculated complexity, or the importance degree of an object. *Kashiwagi* discloses in col. 5 to divide graphics into smaller data regions if the scale of the graphics is too large.

At least for these reasons, Applicant respectfully submits that claim 1 is not anticipated by *Kashiwagi*. As such, it is respectfully requested that the outstanding rejection be withdrawn.

It is respectfully submitted that claims 2 and 17 are allowable for the reasons set forth above with regard to claim 1 at least based on their dependency on claim 1.

Applicant further submits that claims 6 and 11 include elements similar to those discussed above with regard to claim 1 and thus these claims, together with claims dependent thereon, are allowable for the reasons set forth above with regard to claim 1.

### **Claim Rejections – 35 U.S.C. §102 – Claim 3**

In support of the Examiner's rejection of claim 3, the Examiner relies on col. 9, lines 18-51, col. 2, lines 21-27 and col. 2, lines 58-64 of *Kashiwagi* to teach control means for invalidating part of the functions. Applicant respectfully disagrees with the Examiner's assertions.

Col. 2, lines 21-27 and col. 2, lines 58-64 merely describe how the importance degree of an object may be determined.

In contrast, claim 3 recites, *inter alia*, control means for **invalidating part of the functions for displaying said objects** based on said calculated complexity, said priorities, and an upper limit of processing capability of the apparatus. There is no disclosure that is directed to invalidating part of the functions for displaying objects. There is no reasonable interpretation of

determining the importance degree of the object to mean invalidating part of the functions for displaying objects.

As such, Applicant respectfully submits that claim 3 is not anticipated by Kashiwagi as Kashiwagi fails to teach or suggest all of the claim elements. It is respectfully requested that the outstanding rejection be withdrawn.

It is respectfully submitted that claim 4 is allowable for the reasons set forth above with regard to claim 3 at least based on its dependency on claim 3.

Applicant further submits that claims 8 and 13 include elements similar to those discussed above with regard to claim 3 and thus these claims, together with claims dependent thereon, are allowable for the reasons set forth above with regard to claim 3.

#### **Claim Rejections – 35 U.S.C. §102 – Claim 5**

In support of the Examiner's rejection of claim 5, the Examiner asserts "Claim 5 is similar to claim 1 and rejected under similar rationale." Applicant respectfully disagrees with the Examiner's assertions.

Claim 5 recites a content display apparatus displaying animation **formed of a plurality of frames as a content**, comprising complexity calculating means for calculating, for each of said plurality of frames, complexity when displaying the relevant frame; **and control means for suppressing display of the frame** for which said calculated complexity exceeds an upper limit of complexity.

Claim 1 does not include these features. Applicant respectfully requests the Examiner properly consider claim 5 and all of the elements included therein. If the Examiner maintains his rejection of claim 5, Applicant respectfully requests the Examiner provide Applicant with a proper prima facie rejection in a new, non-final Official Action so that Applicant may have a proper opportunity to respond.

Applicant respectfully submits that *Kashiwagi* fails to teach or suggest a content display apparatus displaying animation formed of a plurality of frames as a content, comprising complexity calculating means for calculating, for each of said plurality of frames, complexity when displaying the relevant frame; and control means for suppressing display of the frame for which said calculated complexity exceeds an upper limit of complexity. As such, Applicant respectfully requests that the outstanding rejection be withdrawn.

Applicant further submits that claims 10 and 15 include elements similar to those discussed above with regard to claim 5 and thus these claims, together with claims dependent thereon, are allowable for the reasons set forth above with regard to claim 5.

### Conclusion

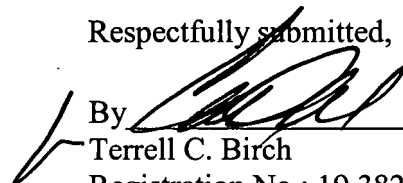
In view of the above remarks, it is believed that claims are allowable.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet Reg. No. 52,327 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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